

STAYED,TYPE I-FOIA

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-01599-DLF**

CENTER FOR INVESTIGATIVE REPORTING v. UNITED
STATES DEPARTMENT OF THE INTERIOR
Assigned to: Judge Dabney L. Friedrich
Cause: 05:552 Freedom of Information Act

Date Filed: 07/05/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**CENTER FOR INVESTIGATIVE
REPORTING**

represented by **D. Victoria Baranetsky**
1400 65th Street
Emeryville, CA 94609
(510) 982-2890
ATTORNEY TO BE NOTICED

Joshua Hart Burday
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: joshb@loevy.com
ATTORNEY TO BE NOTICED

Matthew Topic
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: matt@loevy.com
ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES DEPARTMENT OF
THE INTERIOR**

represented by **Brian J. Field**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2551
Fax: (202) 234-2806
Email: brian.field@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/05/2018	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF THE INTERIOR (Filing fee \$ 400 receipt number 0090-5572359) filed by THE CENTER FOR INVESTIGATIVE REPORTING. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons)(Topic, Matthew) Modified attachment descriptions on 7/6/2018 (zjd). (Entered: 07/05/2018)

07/05/2018	<u>2</u>	NOTICE of Appearance by Matthew Topic on behalf of THE CENTER FOR INVESTIGATIVE REPORTING (Topic, Matthew) (Entered: 07/05/2018)
07/06/2018		Case Assigned to Judge Dabney L. Friedrich. (zjd) (Entered: 07/06/2018)
07/06/2018	<u>3</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF THE INTERIOR, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zjd) (Entered: 07/06/2018)
07/06/2018	<u>4</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– D. Victoria Baranetsky, :Address– 1400 65th Street, Emeryville, CA 94609. Phone No. – (510) 982–2890. Filing fee \$ 100, receipt number 0090–5574809. Fee Status: Fee Paid. by CENTER FOR INVESTIGATIVE REPORTING (Attachments: # <u>1</u> Declaration Declaration, # <u>2</u> Text of Proposed Order Proposed Order)(Topic, Matthew) (Entered: 07/06/2018)
07/06/2018		MINUTE ORDER. Upon consideration of the <u>4</u> Motion for Leave to Appear Pro Hac Vice, it is ORDERED that the motion is GRANTED. Signed by Judge Dabney L. Friedrich on July 6, 2018. (MJS) (Entered: 07/06/2018)
08/08/2018	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF THE INTERIOR served on 7/13/2018 (Topic, Matthew) (Entered: 08/08/2018)
08/08/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 07/16/2018. (Topic, Matthew) (Entered: 08/08/2018)
08/08/2018	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/16/2018. Answer due for ALL FEDERAL DEFENDANTS by 8/15/2018. (Topic, Matthew) (Entered: 08/08/2018)
08/14/2018	<u>8</u>	NOTICE of Appearance by Brian J. Field on behalf of All Defendants (Field, Brian) (Entered: 08/14/2018)
08/14/2018	<u>9</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF THE INTERIOR.(Field, Brian) (Entered: 08/14/2018)
08/14/2018		MINUTE ORDER requiring the parties to MEET AND CONFER and file a joint status report proposing a schedule for further proceedings. The parties shall file the joint status report on or before September 4, 2018. Signed by Judge Dabney L. Friedrich on August 14, 2018. (lcllf2) (Entered: 08/14/2018)
08/22/2018	<u>10</u>	Unopposed MOTION for Extension of Time to <i>file Joint Status Report</i> by UNITED STATES DEPARTMENT OF THE INTERIOR (Field, Brian) (Entered: 08/22/2018)
08/22/2018		MINUTE ORDER granting the defendant's <u>10</u> Unopposed Motion for Extension of Time. It is ORDERED that the parties shall file their joint status report proposing a schedule for further proceedings on or before September 11, 2018. Signed by Judge Dabney L. Friedrich on August 22, 2018. (lcllf2) (Entered: 08/22/2018)
09/11/2018	<u>11</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR. (Field, Brian) (Entered: 09/11/2018)
09/12/2018		MINUTE ORDER. Upon consideration of the parties' <u>11</u> Joint Status Report, it is ORDERED that the parties shall submit another joint status report on or before November 8, 2018. Signed by Judge Dabney L. Friedrich on September 12, 2018. (JK) (Entered: 09/12/2018)
11/08/2018	<u>12</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR. (Field, Brian) (Entered: 11/08/2018)
11/08/2018		MINUTE ORDER. Upon consideration of the parties' <u>12</u> Joint Status Report, it is ORDERED that the parties shall file another joint status report on or before January 7, 2019. Signed by Judge Dabney L. Friedrich on November 8, 2018. (lcllf2) (Entered: 11/08/2018)

11/08/2018		Set/Reset Deadlines/Hearings: Joint Status Report due by 1/7/2019. (jl) (Entered: 11/13/2018)
01/04/2019	<u>13</u>	Unopposed MOTION to Stay <i>in Light of Lapse in Appropriations</i> by UNITED STATES DEPARTMENT OF THE INTERIOR (Field, Brian) (Entered: 01/04/2019)
01/04/2019		MINUTE ORDER granting the defendants' <u>13</u> Unopposed Motion to Stay Proceedings in Light of Lapse in Appropriations. Accordingly, it is ORDERED that this case is STAYED until Congress has restored appropriations to the Department of Justice. It is further ORDERED that within two days of appropriations being restored, the parties shall file a joint status report. Signed by Judge Dabney L. Friedrich on January 4, 2019. (lcldf2) (Entered: 01/04/2019)
01/29/2019	<u>14</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR. (Field, Brian) (Entered: 01/29/2019)
01/30/2019		MINUTE ORDER. Upon consideration of the parties' <u>14</u> Joint Status Report, it is ORDERED that the defendant shall file a motion for summary judgment on or before March 29, 2019; the plaintiff shall file an opposition and cross-motion for summary judgment on or before May 3, 2019; the defendant shall file a reply and opposition to cross-motion for summary judgment on or before June 17, 2019; and the plaintiff may file a reply on or before July 8, 2019. Signed by Judge Dabney L. Friedrich on January 30, 2019. (lcldf2) (Entered: 01/30/2019)
01/30/2019		Set/Reset Deadlines/Hearings: Defendant's Summary Judgment motion due by 3/29/2019. Plaintiff's opposition and cross-motion for summary judgment due by 5/3/2019. Defendant's reply and opposition to cross-motion for summary judgment due by 6/17/2019. Plaintiff's reply due by 7/8/2019. (jl) (Entered: 01/30/2019)
03/29/2019	<u>15</u>	Consent MOTION for Extension of Time to <i>File Summary Judgment Motion</i> by UNITED STATES DEPARTMENT OF THE INTERIOR (Field, Brian) (Entered: 03/29/2019)
03/29/2019		MINUTE ORDER granting the defendant's <u>15</u> Consent Motion for Extension of Time. The defendant shall file its motion for summary judgment on or before April 5, 2019. Signed by Judge Dabney L. Friedrich on March 29, 2019. (lcldf2) (Entered: 03/29/2019)
03/29/2019		Set/Reset Deadlines/Hearings: Defendant's Summary Judgment motion due by 4/5/2019. (zcdw) (Entered: 04/01/2019)
04/05/2019	<u>16</u>	MOTION for Summary Judgment by UNITED STATES DEPARTMENT OF THE INTERIOR (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Exhibit Ex. 1 – Moore Decl., # <u>4</u> Exhibit Ex. 2 – Wilson Decl., # <u>5</u> Text of Proposed Order)(Field, Brian) (Entered: 04/05/2019)
04/30/2019	<u>17</u>	ERRATA by UNITED STATES DEPARTMENT OF THE INTERIOR <u>16</u> MOTION for Summary Judgment filed by UNITED STATES DEPARTMENT OF THE INTERIOR. (Attachments: # <u>1</u> Memorandum in Support Corrected, # <u>2</u> Statement of Facts Corrected)(Field, Brian) (Entered: 04/30/2019)
05/03/2019	<u>18</u>	MOTION for Summary Judgment <i>Plaintiff's Combined Memorandum in Opposition to Defendants' Motion for Summary Judgment and in Support of Plaintiff's Cross-Motion for Summary Judgment</i> by CENTER FOR INVESTIGATIVE REPORTING (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Burday, Joshua) (Entered: 05/03/2019)
05/03/2019	<u>19</u>	Memorandum in opposition to re <u>16</u> MOTION for Summary Judgment filed by CENTER FOR INVESTIGATIVE REPORTING. (Attachments: # <u>1</u> Statement of Facts Plaintiff's Local Civil Rule 7(h) Statement of Genuine Issues of Fact, # <u>2</u> Text of Proposed Order Proposed Order)(Burday, Joshua) (Entered: 05/03/2019)
06/07/2019	<u>20</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>18</u> MOTION for Summary Judgment <i>Plaintiff's Combined Memorandum in Opposition to Defendants' Motion for Summary Judgment and in Support of Plaintiff's Cross-Motion for Summary Judgment</i> by UNITED STATES DEPARTMENT OF THE INTERIOR (Field, Brian) (Entered: 06/07/2019)

06/07/2019		MINUTE ORDER granting the defendant's <u>20</u> Unopposed Motion for Extension of Time. The defendant shall file its reply and opposition on or before June 24, 2019, and the plaintiff shall file its reply on or before July 15, 2019. Signed by Judge Dabney L. Friedrich on June 7, 2019. (lcdlf2) (Entered: 06/07/2019)
06/07/2019		Set/Reset Deadlines: Response to Cross Motions due by 6/24/2019. Reply to Cross Motions due by 7/15/2019. (zcal) (Entered: 06/10/2019)
06/24/2019	<u>21</u>	REPLY to opposition to motion re <u>16</u> MOTION for Summary Judgment filed by UNITED STATES DEPARTMENT OF THE INTERIOR. (Attachments: # <u>1</u> Declaration Supp. Moore Decl., # <u>2</u> Declaration Supp. Wilson Decl.)(Field, Brian) (Entered: 06/24/2019)
06/24/2019	<u>22</u>	Memorandum in opposition to re <u>18</u> MOTION for Summary Judgment <i>Plaintiff's Combined Memorandum in Opposition to Defendants' Motion for Summary Judgment and in Support of Plaintiff's Cross-Motion for Summary Judgment</i> filed by UNITED STATES DEPARTMENT OF THE INTERIOR. (Attachments: # <u>1</u> Declaration Supp. Moore Decl., # <u>2</u> Declaration Supp. Wilson Decl., # <u>3</u> Text of Proposed Order)(Field, Brian) (Entered: 06/24/2019)
07/15/2019	<u>23</u>	REPLY to opposition to motion re <u>18</u> MOTION for Summary Judgment <i>Plaintiff's Combined Memorandum in Opposition to Defendants' Motion for Summary Judgment and in Support of Plaintiff's Cross-Motion for Summary Judgment</i> filed by CENTER FOR INVESTIGATIVE REPORTING. (Burday, Joshua) (Entered: 07/15/2019)